

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Chong's Produce, Inc.,

NO. C 09-01013 JW

Plaintiff,

**ORDER CONTINUING HEARING ON
ORDER TO SHOW CAUSE RE:
SETTLEMENT**

v.

Premium Fresh Farms, LLC, et al.,

Defendants.

This case is scheduled for a hearing on an Order to Show Cause Re: Settlement on March 15, 2010. The parties were required to file a Stipulated Dismissal or Joint Statement on or before March 5, 2010, but, to date, have failed to do so. (See Docket Item No. 82.) The Court issued its Order to Show Cause on December 17, 2009 and has twice continued the scheduled hearing in the light of the parties' failure to make the required filing. (See Docket Item Nos. 79, 81, 82.) It appears that the parties have disregarded this Court's last three Order. In light of the parties' failure to file a Stipulated Dismissal or Joint Statement, the Court continues the March 15 hearing.

Accordingly, the Court CONTINUES the March 15, 2010 hearing to **March 29, 2010 at 9 a.m.** On or before **March 19, 2010**, the parties shall file either a Stipulated Dismissal, which will vacate the Conference, or a Joint Status Report updating the Court on their settlement efforts. This is the parties' final continuance. Failure to comply with this Order may warrant sanctions

Dated: March 11, 2010


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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4 Emmitt Pfof
5 9 Santa Lucia Avenue
6 Salinas, Ca 93908

7 **Dated: March 11, 2010**

Richard W. Wieking, Clerk

8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**